

Fill in this information to identify your case:

United States Bankruptcy Court for the:

NORTHERN DISTRICT OF WEST VIRGINIA

Case number (if known)

Chapter

11

☐ Check if this an amended filing

## Official Form 201

## Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Beanery 119, LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

DBA Beanery American Grill3. Debtor's federal Employer Identification Number (EIN) 81-1476770

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

226 Comfort Drive  
Morgantown, WV 26508

Number, Street, City, State &amp; ZIP Code

63 Don Knotts Boulevard, Suite 2  
Morgantown, WV 26508

P.O. Box, Number, Street, City, State &amp; ZIP Code

Monongalia

County

Location of principal assets, if different from principal place of business

Number, Street, City, State &amp; ZIP Code

5. Debtor's website (URL) http://beaneryamericangrill.com/

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☐ Other. Specify: \_\_\_\_\_

**7. Describe debtor's business****A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

**B. Check all that apply**

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

**C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.**  
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

7225**8. Under which chapter of the Bankruptcy Code is the debtor filing?****Check one:**

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☒ No.☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**☐ No☒ Yes.

List all cases. If more than 1, attach a separate list

Debtor	<b>Boston Hospitality Group, Inc.</b>	Relationship	<b>Parent Company</b>
District	<b>Northern District of West Virginia</b>	When	<b>7/01/17</b>
		Case number, if known	_____

**11. Why is the case filed in this district?***Check all that apply:*

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☒ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**☒ No☐ Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention?** *(Check all that apply.)*☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? \_\_\_\_\_

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other \_\_\_\_\_**Where is the property?** \_\_\_\_\_

Number, Street, City, State &amp; ZIP Code

**Is the property insured?**☐ No☐ Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

**Statistical and administrative information****13. Debtor's estimation of available funds***Check one:*

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

**14. Estimated number of creditors**☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☒ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☒ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **June 30, 2017**

MM / DD / YYYY

**X /s/ Patrick J. Padula**

Signature of authorized representative of debtor

**Patrick J. Padula**

Printed name

Title **Manager**

**18. Signature of attorney**

**X /s/ Todd B. Johnson**

Signature of attorney for debtor

Date **June 30, 2017**

MM / DD / YYYY

**Todd B. Johnson**

Printed name

**Johnson Law, PLLC**

Firm name

**PO Box 519**

**Morgantown, WV 26507-0519**

Number, Street, City, State & ZIP Code

Contact phone **(304) 292-7933**

Email address

**9261**

Bar number and State

**Fill in this information to identify the case:**

Debtor name **Beanery 119, LLC**  
 United States Bankruptcy Court for the: **NORTHERN DISTRICT OF WEST VIRGINIA**  
 Case number (if known): \_\_\_\_\_

☐ Check if this is an  
 amended filing

**Official Form 204**
**Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Amber Motter 1302 Brunswick Ct Morgantown, WV 26508		Current wages.				\$0.00
AmTrust North America, Inc. P.O. Box 6939 Cleveland, OH 44101		Workers Compensation insurance.				\$268.00
Bessie Miller 1302 Brunswick Ct Morgantown, WV 26508		Current wages.				\$0.00
Brielle Donnelly 339 W. Washington Street Grafton, WV 26354		Current wages.				\$0.00
Brook Verbosky 5485 University Avenue Star City, WV 26505		Current wages.				\$0.00
Christopher Williamson 633 Hayes Avenue Morgantown, WV 26501		Current wages.				\$0.00
Cintas P.O. Box 630910 Cincinnati, OH 45263		Laundry service.				\$89.84
Clinton Water 703 Greenbag Road Morgantown, WV 26508		Utility.				\$440.71
Comcast P.O. Box 3001 Southeastern, PA 19398		Utility.				\$426.54

Debtor **Beanery 119, LLC**  
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Dominion Hope P.O. Box 26783 Richmond, VA 23261		Utility.				\$415.91
Erica Whitted P.O. Box 237 Morgantown, WV 26505		Current wages.				\$0.00
Gordon Food Service Imperial Distribution Center 225 Solar Drive Imperial, PA 15126		Food supplies.		\$68,612.63	Unknown	Unknown
Haley Collins 1425 Van Voorhis Rd Apt B Morgantown, WV 26505		Current wages.				\$0.00
Hannah Harbert 1081 4H Camp Road Morgantown, WV 26508		Current wages.				\$0.00
Haylie McCollough 901 Ashton Place Morgantown, WV 26505		Current wages.				\$0.00
James B. Sailor 1222 Vista del Rio Drive Morgantown, WV 26508		Current wages.				\$0.00
Morgantown Disposal P.O. Box 1102 Uniontown, PA 15401		Utility.				\$180.00
NuCO2, Inc. P.O. Box 417902 Boston, MA 02241		Services.				\$430.17
PMSI 167 Middletown Circle Fairmont, WV 26554		Utility.				\$190.80
Solomons Beacon Inn Limited Partnership 1800 West Pasewalk Ave #200 Norfolk, NE 68701		Restaurant Lease.	Unliquidated			\$13,000.00

Beanery 119, LLC  
63 Don Knotts Boulevard, Suite 2  
Morgantown, WV 26508

Todd B. Johnson  
Johnson Law, PLLC  
PO Box 519  
Morgantown, WV 26507-0519

Amber Motter  
1302 Brunswick Ct  
Morgantown, WV 26508

AmTrust North America, Inc.  
P.O. Box 6939  
Cleveland, OH 44101

Bessie Miller  
1302 Brunswick Ct  
Morgantown, WV 26508

Boston Hospitality Group, Inc.  
63 Don Knotts Boulevard, Suite 2  
Morgantown, WV 26508

Brielle Donnelly  
339 W. Washington Street  
Grafton, WV 26354

Brook Verbosky  
5485 University Avenue  
Star City, WV 26505

Christopher Williamson  
633 Hayes Avenue  
Morgantown, WV 26501

Cintas  
P.O. Box 630910  
Cincinnati, OH 45263

Clinton Water  
703 Greenbag Road  
Morgantown, WV 26508

Comcast  
P.O. Box 3001  
Southeastern, PA 19398

CT Lien Solutions  
P.O. Box 29071  
Glendale, CA 91209

Dominion Hope  
P.O. Box 26783  
Richmond, VA 23261

Erica Whitted  
P.O. Box 237  
Morgantown, WV 26505

Gordon Food Service  
Imperial Distribution Center  
225 Solar Drive  
Imperial, PA 15126

Haley Collins  
1425 Van Voorhis Rd Apt B  
Morgantown, WV 26505

Hannah Harbert  
1081 4H Camp Road  
Morgantown, WV 26508

Haylie McCollough  
901 Ashton Place  
Morgantown, WV 26505

James B. Sailor  
1222 Vista del Rio Drive  
Morgantown, WV 26508

Jared Riggleman  
920 Ashton Place  
Morgantown, WV 26508

Jeramia Fowler  
46 Rachel Road  
Morgantown, WV 26508



Jordan Pettry  
2355 Lower White Oak Road  
Ashford, WV 25009

Katelyn Jeffrey  
1642 Cassville Mt Morris Road  
Morgantown, WV 26501

Melissa Wermers  
177 Grey Ghost Road  
Harpers Ferry, WV 25425

Morgantown Disposal  
P.O. Box 1102  
Uniontown, PA 15401

NCR Corporation  
3925 Brookside Parkway  
Alpharetta, GA 30022

NuCO2, Inc.  
P.O. Box 417902  
Boston, MA 02241

PMSI  
167 Middletown Circle  
Fairmont, WV 26554

Richard Shahan  
121 Cassville-Mt. Morris Road  
Morgantown, WV 26501

Shawna Vanderhoff  
82 Forever Laurel Road  
Rock Cave, WV 26234

Solomons Beacon Inn Limited Partnership  
1800 West Pasewalk Ave #200  
Norfolk, NE 68701

**United States Bankruptcy Court  
Northern District of West Virginia**

In re **Beanery 119, LLC**

Debtor(s)

Case No.

Chapter

**11**

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Beanery 119, LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

**Boston Hospitality Group, Inc.  
63 Don Knotts Boulevard, Suite 2  
Morgantown, WV 26508**

☐ None [*Check if applicable*]

**June 30, 2017**

Date

**/s/ Todd B. Johnson**

**Todd B. Johnson 9261**

Signature of Attorney or Litigant

Counsel for **Beanery 119, LLC**

**Johnson Law, PLLC**

**PO Box 519**

**Morgantown, WV 26507-0519**

**(304) 292-7933 Fax:(304) 292-7931**